

**Planning/Zoning, Land Design & Development Meeting**  
**Tuesday, November 24, 2009**  
**2:08 P.M.**  
**Third Floor, City Hall**

**Present:** Chair: CM Owen  
Vice Chair: CM Stuckel  
Members: CM Flood, and CM Jon Ackerson

**Absent:** CM Hamilton (Excused), CM Ward-Pugh (Excused)  
CM Heiner (Excused)

Chairman Owen began the meeting by introducing the members and non-members of the committee that were present. A quorum was established.

O-195-11-09 AN ORDINANCE CLOSING SECTIONS OF THE RIGHT-OF-WAY WHICH WAS FORMERLY A PORTION OF CRITTENDEN DRIVE, AND A SECTION OF ASHBOTTOM ROAD, OLD GRADE LANE, NEW GRADE LANE, BEANBLOSSOM ROAD AND ORANGE DRIVE, ALL OF WHICH BEING IN LOUISVILLE METRO AND SHOWN MORE PARTICULARLY ON EXHIBIT A HERETO (CASE NO. 11920). (June 8, 2010)

**Status:** In Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** James Peden

- **Discussion:** Dawn Warrick, DPDS, spoke to the item. This was on the Planning Commission Consent Agenda on October 15, 2009. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Johnson's District. A power point presentation was given. The following were items of discussion and concern: Not in use for original intent and purpose
- Built over for Airport Expansion
- 100% Adjoining Property Owners agreed

Burt Deutsch, Consultant for the Regional Airport Authority, spoke stating part of Crittenden Drive was temporarily closed for some time and they were waiting until the property was purchased to formerly close the right-of way. At that time, it was found out that the other right-of-ways mentioned in the Ordinance were not closed. The Airport Authority wishes to close these right-of-ways to clean this up for logic purposes.

- Access to Osborne Yard
- Crittenden Drive reconnection

VOTING RESULTS: For: 4; Against: 0; Abstain: 0; Absent: 3

For: Tom Owen, Glen Stuckel, Madonna Flood, Jon Ackerson  
Against: (None)  
Abstain: (None)  
Absent: Hal Heiner, Cheri Bryant Hamilton, Tina Ward-Pugh

O-197-11-09 AN ORDINANCE CLOSING A SECTION OF A 20-FOOT-WIDE ALLEY LOCATED ON THE WEST SIDE OF 1ST STREET, APPROXIMATELY 200 FEET SOUTH OF WEST BRECKINRIDGE STREET, RUNNING WEST 200.71 FEET, CONTAINING 4,014 SQUARE FEET, AND BEING IN LOUISVILLE METRO (CASE NO. 13035). (June 8, 2010)

**Status:** In Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** James Peden

Motion to Approve made by Jon Ackerson and seconded by Madonna Flood.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. This was on the Planning Commission Consent Agenda on October 29, 2009. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Unseld's District. A power point presentation was given. The following were items of discussion and concern:

- Purpose is so the Downtown Scholar House can secure this for a campus
- Will have gated access
- Downtown Scholar House will maintain
- Development plan has been approved for a multi-housing project
- 100% property owners are in agreement

This Ordinance was sent to the **Consent Calendar**.

VOTING RESULTS: For: 4; Against: 0; Abstain: 0; Absent: 3

For: Tom Owen, Glen Stuckel, Madonna Flood, Jon Ackerson

Against: (None)

Abstain: (None)

Absent: Hal Heiner, Cheri Bryant Hamilton, Tina Ward-Pugh

O-190-10-09 AN ORDINANCE CHANGING THE ZONING FROM OR-3, OFFICE RESIDENTIAL AND OTF, OFFICE TOURIST FACILITY, TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 3901 AND 3903 ATKINSON SQUARE DRIVE AND 1507 GARDINER LANE, CONTAINING A TOTAL OF 6.27 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12579). (January 1, 2010)

**Status:** In Committee  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** James Peden

Motion to Approve made by Glen Stuckel and seconded by Madonna Flood.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on October 1, 2009. Three spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM King's District. A power point presentation was given. The following were items of discussion and concern:

- 6.27 acres which contains 3 parcels
- College of Technology and Design
- Addition of a Trade School and Class Room Facility building
- Surrounded by mixed use
- Trade School requires a C-2 Zoning
- C-2 Zoning uses
- Traffic
- Drainage
- Hearing proceedings

Motion to Table made by Jon Ackerson. The motion died due to the lack of a second.

This Ordinance was sent to **Old Business**.

VOTING RESULTS: For: 3; Against: 1; Abstain: 0; Absent: 3

For: Tom Owen, Glen Stuckel, Madonna Flood

Against: Jon Ackerson

Abstain: (None)

Absent: Hal Heiner, Cheri Bryant Hamilton, Tina Ward-Pugh

[O-196-11-09 AN ORDINANCE CHANGING THE ZONING FROM R-4, SINGLE FAMILY RESIDENTIAL TO R-5, SINGLE FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 9412 FERN CREEK ROAD AND 9813 FERN HILL DRIVE, CONTAINING A TOTAL OF 5.89 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 11527\). \(January 15, 2010\)](#)

**Status:** In Committee

**Committee:** Planning/Zoning, Land Design & Development

**Primary Sponsor:** James Peden

Motion to Approve made by Glen Stuckel and seconded by Jon Ackerson.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. There were two Planning Commission hearing on this case. The first was held February 5, 2009. Three spoke in opposition. The second was held on October 15, 2009. Seven spoke in opposition and one spoke neither for nor against. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Engel's District. A power point presentation was given. The following were items of discussion and concern:

- 23 buildable lot subdivision
- 1 existing single family home which is to remain
- 17 lots will be accessed off Fern Hill Drive
- 6 lots will be accessed off Fern Creek Road
- Fern Hill Drive will be extended
- A stub will be put in on the east side of the site for future development
- Sizes of the lots and setbacks
- Infield conditions
- Meets the recommendations of the Fern Creek Small Area Plan
- Price point and size of the structures
- Materials used for the structures
- Compatibility

Per Chairman Owen, CM Engel had some questions and would like this to be forwarded to the Council.

This item was sent to **Old Business**.

VOTING RESULTS: For: 4; Against: 0; Abstain: 0; Absent: 3

For: Tom Owen, Glen Stuckel, Madonna Flood, Jon Ackerson

Against: (None)

Abstain: (None)

Absent: Hal Heiner, Cheri Bryant Hamilton, Tina Ward-Pugh

[O-176-10-09 AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 153 OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \(LMCO\) RELATING TO THE TIME AND LOCATION OF PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT HEARINGS.](#)

**Status:** In Committee - Tabled

**Committee:** Planning/Zoning, Land Design & Development

**Primary Sponsor:** James Peden

**Discussion:** This item remained Tabled.

[R-192-09-09 A RESOLUTION REQUESTING THE LOUISVILLE METRO PLANNING COMMISSION TO HOLD A PUBLIC HEARING AND MAKE A RECOMMENDATION ON A PROPOSED AMENDMENT TO SECTION 2.4.3.D.2 OF THE LAND DEVELOPMENT CODE REGARDING PERMITTED DENSITY OF RESIDENTIAL DEVELOPMENT IN THE C-1, COMMERCIAL ZONING DISTRICT.](#)

**Status:** In Committee – Tabled  
**Committee:** Planning/Zoning, Land Design & Development  
**Primary Sponsor:** James Peden  
Rick Blackwell

**Discussion:** This item remained Tabled.

CM Ackerson requested that the Committee ask the Legislature to amend KRS 100 to give Consolidated Local Government the same authority as Urban County Governments.

Chairman Owen stated he would e-mail Charles Cash and Theresa Senninger regarding amendments to KRS 100.

Motion to Adjourn made by Glen Stuckel. Without objection, the meeting adjourned at 3:05 P.M.

**\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on December 3, 2009.**

**KQG**